REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

At the outset, the Applicants wish to thank the Examiners for the courtesy shown to their representatives during a personal interview on May 18, 2010. The participants were Examiner Anwar, SPE Ferris, Daiji Ido and the undersigned. The issues discussed were the rejections of claims 24-28 under 35 USC §103(a) as unpatentable over Shohara et al. (US 6,804,503) in view of Kohno et al. (US 7,502,818). Agreement was reached in that the above amendments would overcome the prior art rejections of record. The Examiners indicated that an updated search would be performed. The following includes a summary of the substance of the discussion during the interview.

Independent claims 24, 26, 28 and 38-40 have been amended to highlight patentable features of this invention. Dependent claims 29, 32 and 35-37 are amended to be consistent with the changes to the independent claims. Claims 30, 31, 33 and 34 are now canceled. Support for these amendments is provided in for example paragraphs [0086] and [0087] of the published specification. (It should be noted that references herein to the specification and drawings are for illustrative purposes only and are not intended to limit the scope of the invention to the referenced embodiments.)

Claims 24-28 were rejected, under 35 USC §103(a), as being unpatentable over Shohara et al. (US 6,804,503) in view of Kohno et al. (US 7,502,818). To the extent that these rejections may be deemed applicable to the amended claims presented herein, the Applicants respectfully traverse as follows.

Claim 24 now recites an intermittent communication method performed by a communication terminal, the method comprising receiving from a communication terminal accommodation apparatus, a signal to allow the communication terminal to enter an intermittent communication mode which includes a predetermined sleeping period and a predetermined active period; after receiving the signal to allow the intermittent communication mode, transmitting data during the predetermined active period of the intermittent communication mode; and in response to receiving a negative acknowledgment (NACK) signal from the communication terminal accommodation apparatus in an automatic repeat request mode, performing a retransmission of the data and securing an ACK/NACK frame, for the retransmission of the data, within the predetermined sleeping period of the intermittent communication mode.

The Office Action cites Shohara for a system including an intermittent communication mode comprising a predetermined sleeping period and a predetermined active period, wherein a communication terminal accommodation apparatus transmits a signal to a communication terminal apparatus to allow the intermittent communication (column 7, lines 21-23) and the communication terminal, upon receiving the signal to allow intermittent communication, performs data communication in the intermittent communication mode only in a period to carry out data communication using the predetermined active period of the intermittent communication mode (column 10 lines 40-42, column 11 lines 39-57, column 15 lines 46-48). The Office Action states that Shohara fails to teach or suggest an automatic repeat request mode wherein, upon receiving a negative acknowledgment (NACK) signal from a communication terminal accommodation apparatus, a communication terminal performs a retransmission of data within a

predetermined sleeping period of the intermittent communication mode. In an attempt to remedy the deficiencies of Shohara, the Office Action alleges (incorrectly) that Kohno discloses an ARQ mode in which, upon receiving a negative acknowledgment (NACK) signal from a receiving communication terminal (see column 24 lines 19-22), a transmitting terminal performs a retransmission of data within a standby mode (column 25 lines 38-40). The Office Action alleges that it would have been obvious to incorporate the Kohno et al. retransmission scheme into the Shohara et al. intermittent transmission scheme.

It is submitted that Kohno does not disclose an intermittent communication mode in the sense of the instant claims, wherein the intermittent communication mode includes a predetermined sleeping period and a predetermined active period relating to a data transmitting terminal. Instead, Kohno discloses a "standby mode" wherein the receiving terminal goes into "standby" to await receipt of a data packet, when it is waiting for a retransmitted packet as described in Fig. 14, steps S419 and S 420. Thus, it is apparent that the "standby mode" of Kohno is very different from the "predetermined sleeping period" of the intermittent communication mode relating to a data transmitting terminal of the present claimed invention.

Accordingly, it is submitted that Kohno does not cure the deficiencies of Shohara because Kohno fails to teach or suggest the technical feature of "in response to receiving a negative acknowledgment (NACK) signal from the communication terminal accommodation apparatus in an automatic repeat request mode, performing a retransmission of the data and securing an ACK/NACK frame, for the retransmission of the data, within the predetermined sleeping period of the intermittent communication mode."

It should be noted that Fig. 14, steps S419 and S 420, of Kohno (discussed at col. 25, lines 38-41) cited in the Office Action provides an example of the behavior of a terminal as a data receiver. Specifically, in the case of automatic repeat request (ARQ) mode, the terminal of Fig. 14 receives data from the other terminal acting as a transmitter, and then the receiving terminal transmits an ACK/NACK for the received data to the transmitting terminal.

In contrast, present claim 24 defines an intermittent communication method performed by a communication terminal acting as a transmitter of the data to the accommodation apparatus, and in response to a NACK signal from the accommodation apparatus, performs a retransmission of the data and secures an ACK/NACK frame, for the retransmission of the data, within the predetermined sleeping period.

Thus, it is emphasized that Kohno discloses operation of a receiving terminal which sends an ACK/NACK signal in an ARQ process, whereas the present claimed invention is directed conversely to the operation of the transmitting terminal which receives an ACK/NACK response signal in an ARQ process.

With respect to the transmitting terminal in Kohno's ARQ process, Fig. 8 discloses the operation of receiving an ACK/NACK signal, but there is no mention whatsoever of a standby mode for receiving the ACK/NACK signal from the receiving terminal in the ARQ process.

It is submitted that, even if the retransmission scheme of Kohno and the intermittent communication scheme of Shohara were combined, the result would be that the transmitting terminal would fail to receive an ACK.NACK signal sent from the receiving terminal during Shohara's sleeping period. Thus, the combined references would lack the technical feature of Applicants' claim 24 which solves this problem, wherein, in response to receiving a negative

acknowledgment (NACK) signal from the communication terminal accommodation apparatus in an automatic repeat request mode, the communication terminal performs a retransmission of the data and secures an ACK/NACK frame, for the retransmission of the data, within the predetermined sleeping period of the intermittent communication mode. This enables the communication terminal to receive an ACK/NACK signal within the predetermined sleeping period.

Accordingly, the Applicants respectfully submit that the teachings of Shohara and Kohno, even if combined as proposed in the Final Rejection, still would lack the above-noted features of claim 24, and thus these references, considered individually or in combination, do not render obvious the subject matter now defined by claim 24. Independent claims 26, 28, and 38-40 similarly recite the above-mentioned subject matter distinguishing method claim 24 from the applied references, but claims 26, 28, 39, and 40 do so with respect to apparatuses. Therefore, allowance of claims 24, 26, 28, and 38-40 and all claims dependent therefrom is considered to be warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a direct communication, the examiner is requested to e-mail the undersigned at the address listed below.

Respectfully submitted,

/James Edward Ledbetter/

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JEL/att

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